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RUEHIT/AMCONSUL ISTANBUL 4437

RUEAIIA/CIA WASHDC

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RUEKJCS/Joint STAFF WASHDC//J-3/J-5//

RHEHAAA/NSC WASHDC

RUEUITH/ODC ANKARA TU//TCH//

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RUEUITH/TLO ANKARA TU

RUEHAK/USDAO ANKARA TU

C O N F I D E N T I A L SECTION 01 OF 02 ANKARA 001217

SIPDIS

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TAGS: PGOV PREL TU

SUBJECT: TURKEY: COUP THWARTED OR REVENGE TAKEN?

REF: ANKARA 1194

Classified By: Political Counselor Daniel O'Grady for reasons 1.4(b,d)

¶1. (C) Summary. As the shock wanes over the July 1 detention of over 20 people, including two senior retired military officers, in connection with the year-old Ergenekon investigation (reftel), most Turks view the developments as a worrisome escalation of the struggle between Kemalist ultranationalists and supporters of the Islam-oriented ruling Justice and Development Party (AKP). In Ankara's supercharged atmosphere, Turks are awaiting release of the Ergenekon indictment before deciding whether the suspects, some held without formal charges for months, were determined coup plotters or pawns in the ongoing battle for political control. Many predict the detentions, portrayed by much of the media as AKP's revenge, make the party's closure more likely. A solid indictment will bolster government claims the judiciary has thwarted a dangerous conspiracy to topple Turkey's democratically elected government; a weak case will fuel accusations that police state tactics were used unjustifiably against AKP opponents in retaliation for the pending closure case. While some view the Ergenekon suspects as a disgruntled group of AKP antagonists with more will than means to enact a coup, others portray the investigation as a bold effort to eliminate illegal gangs that have long obstructed Turkey's democratization. Either scenario would burnish AKP's image, both as intended coup victim and courageous defender of Turkey's democracy. If, however, the outcome is a flimsy indictment and a clumsy judicial process, it will discredit AKP and Erdogan, and disappoint those hoping Ergenekon is not just another reckless ploy in Turkey's political power struggle. End summary.

¶2. (U) The move by Istanbul prosecutors to detain senior military officials (among others) allegedly implicated in a coup conspiracy is hailed by many as a rare attempt to hold coup plotters responsible. "We have today's coup plotters because past coup leaders have not been tried," stated Sacit Kayasir, disbarred in 2000 for pursuing charges against 1980 coup leader General Kenan Evren. All sides have called for respect for the judicial process, though many are concerned that charges have yet to be filed against any of the 49 suspects detained during five previous raids since July 2007.

AKP Vice Chairman Dengir Mir Mehmet Firat agreed those detained should have a fair trial, and urged the prosecutor to speed up the legal process. AKP Whip Nihat Ergin told us the indictment has been delayed because the case is so complicated; three prosecutors have reviewed over six million pages of evidence linking this investigation to old, unsolved crimes. "The indictment will clarify for the public that this is about a criminal organization," Ergin said. An

indictment, rumored to be 2500 pages, may be filed this week, once recently seized evidence is incorporated, according to Ergin. Two retired generals and the Ankara Chamber of Commerce president, all detained July 1, were arrested after questioning over the weekend and are being held for trial, reportedly for establishing an organizing designed to provoke the public to revolt against the government.

¶3. (U) AKP leaders deny any link between the recent detentions and the AKP closure case, maintaining Turkey's independent judiciary moved against the Ergenekon suspects to prevent them from launching a plan to create chaos and overthrow the AKP government. That the high-profile detentions occurred during the chief prosecutor's July 1 oral arguments in the AKP closure case (septel), minimizing press coverage of the court session, was a coincidence, they contend. Cumhuriyet columnist Cuneyt Arcayurek disagreed, stating, "It is in no way a coincidence such things are happening when the closure case is being heard at the constitutional court." Whether or not a link exists, senior AKP MP Murat Mercan told us he expects the Ergenekon investigation will negatively impact the closure case, particularly because some media are depicting the Ergenekon suspects as defenders of the secular Republic. Despite PM Erdogan's previous claim that the closure case was filed to curb the government's determination to pursue the Ergenekon investigation, many view the detentions as AKP's effort to suppress its adversaries. AKP opponents were quick to criticize Firat's call to respect the judiciary's independence, pointing to AKP efforts to press the US, EU and others to influence the constitutional court in the closure

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case. "I can only laugh at this statement," NTV News' Rusen Caker reportedly said, adding, "They made all possible interventions."

¶4. (U) While also noting the arrests coincided with the chief prosecutor's closure case oral argument, far-right Nationalist Action Party (MHP) leader Devlet Bahceli urged his party group to await the outcome of the Ergenekon legal process. "There are groups trying to create chaos in Turkey," he said, adding that it is in Turkey's best interests to remain cool-headed regarding the investigation. Bahceli blamed AKP and the PM for not tackling Turkey's issues with common sense and risking the country's future for Erdogan's "whims and obsessions."

¶5. (U) Erdogan's comments at AKP's July 1 parliamentary party group meeting were defiant without directly addressing the Ergenekon investigation or the closure case. He emphasized AKP is the only address for a change in Turkey's politics, for Turkey's integration with the modern world and its full membership in the EU. Those who resist EU membership and standards cannot tolerate Turkey moving toward democratization and cannot accept the will of the people, he said. Turkey will develop despite all hurdles before it, Erdogan pledged, adding AKP will strive for democracy, justice and law. "We have to work hard and act with common sense," he told AKP MPs.

¶6. (U) Land Forces Commander (and likely future Chief of Defense) General Basbug also urged Turks to be responsible, "imperturbable" and cautious. President Gul echoed the call, saying he has been working to reduce the tensions and ensure Turkey emerges from the crisis even stronger. In contrast, opposition Republican People's Party (CHP) leader Deniz Baykal charged the detentions stem from Erdogan's personal ambitions and indicated Turkey is drifting away from democracy and rule of law. "This process has been going on for a year without an indictment. Is this possible in a state of law?" Baykal asked, warning that a society of fear is being created in Turkey. Baykal claimed the investigation is politically motivated and accused Erdogan of being the Ergenekon investigators' "spokesman" for announcing the investigation would end soon. AKP's Firat retorted that

Baykal was acting as the Ergenekon suspects' lawyer. "Baykal is trying to make it look like the suspects were detained because of their opposition to the government and not because of having participated in an illegal organization resorting to methods outside the law," Firat said.

¶7. (C) Comment: Most Turks agree if the Ergenekon suspects are guilty, they should be punished. But they want to see the indictment before deciding whether or not this is a genuine effort to crack down on illegal organizations or ultranationalists within the state ready to take the law into their own hands. Given the failure of previous attempts to hold coup plotters accountable, the prosecutor will need the government's continued backing and strong political will to see the prosecutions through to convictions, a process that could take years. Even if Ergenekon is only a house-cleaning of a disaffected few, the case could, if handled responsibly, strengthen Turkey's democratic process by demonstrating no one is above the law. Such an outcome, accomplished with the cooperation (however grudging) of the judiciary and military, could be the government's most important reform to date.

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